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To assess the impacts of the release at the Gold King Mine, water quality samples were collected from the Northern Border of New Mexico to the Navajo Nation at daily intervals beginning on Aug. 6, 2015. Surface water samples taken prior to the plume's arrival were used to establish a baseline for water quality comparisons. Each surface water sample was analyzed for 24 metals, including arsenic, cadmium, lead and mercury. Surface water samples collected on Thursday, August 6, 2015, at two (2) locations prior to arrival of the plume along the Animas and San Juan Rivers in New Mexico.

On Wednesday, August 12, 2015, eleven (11) locations were sampled after arrival of the plume. Based upon the surface water sample results in New Mexico, surface water concentrations are trending toward pre-event conditions. EPA is committed to working closely with response agencies and state and local officials to ensure the safety of citizens, respond to concerns and to evaluate impact to water contaminated by the spill. Today EPA provided the following updates:

#### **EPA Staff Deployed**

EPA currently has deployed more than 210 employees and contractors for the response. The U.S.Coast Guard has provided 14 responders. There are also currently at least 20 different state and local agencies involved in the response working to help ensure the health and safety of the public.

#### **Mine Discharge Treatment**

The Gold King Mine is releasing water at the rate of approximately 544 gallons per minute. Water is captured and treated at a system of impoundments before being discharged to Cement Creek.

#### **Plume**

EPA is collecting water and sediment samples from Lake Powell near the inlet of the San Juan River. Given the recent sampling results of reduced metals in the plume, EPA expects no significant impacts to Lake Powell associated with the Gold King Mine release.

#### **Unified Command in Durango, Colorado**

EPA Region 8 currently has 86 staff and contractors working on the response in Colorado. The EPA is conducting private well water sampling as needed and calling those residents

sampled to provide the analytical results. Based on the sample results reported as of August 17, seven out of 105 private wells sampled had some exceedance of drinking

water standards. These samples were taken from the well head and not the tap. It is unclear if the exceedances were caused by the mine release. Follow up work at the wells that exceeded drinking water standards include: flushing the well; resampling the well; and taking an additional tap water sample for analysis.

# Unified Command in Farmington, New Mexico

## **For Region 6**

For New Mexico, EPA has a team of 65 employees consisting of federal on-scene coordinators, water quality experts, technicians and contractors supporting the response to the spill.

EPA continues to collect water samples from nine locations near intakes for Aztec, Farmington, Lower Valley Water Users Association, Morning Star Water Supply System and the North Star Water User Association. Validated sampling data for the Animas and San Juan Rivers from the Northern Border of New Mexico to Navajo Nation collected from Aug. 7 to Aug. 12 have been released. On August 15, New Mexico reopened drinking water system intakes and recreational use in the river.

Private domestic water well use has resumed based on water quality sampling results from the river collected by both New Mexico Environment Department and the EPA. EPA and NMED have 15 teams collecting samples from private wells. On August 14, New Mexico reopened domestic drinking water well use.

Irrigation ditches along the Animas River have returned to normal irrigation and livestock watering operations. EPA has delivered over 1 million gallons of water for irrigation and livestock watering. On August 15, New Mexico reopened irrigation ditches for farm and livestock watering operations. Additional sediment samples from irrigation ditches have been validated and posted on our website. The metal concentrations of the irrigation samples continue to be below soil/sediment recreational screening levels.

## **For Region 9**

On the Navajo Nation, EPA Region 9 has a team of 36 employees consisting of federal on-scene coordinators, community liaisons, water quality experts, technicians and contractors supporting the response to the spill.

The Navajo Nation leadership maintains restrictions on use of the San Juan River. Daily operations are focused around gathering water and sediment samples from 11 designated locations in San Juan River. EPA Region 9 is collecting and assessing water quality from the San Juan River from La Plata Highway in New Mexico to Mexican Hat in Utah. Dissolved and total concentrations of metals and pH levels are being monitored. The Glen Canyon Incident Command Post completed surface water and sediment sampling of Lake Powell at 11 locations, from the Glen Canyon Dam to the San Juan River delta. Surface water and sediment samples have been collected from five locations on the main stem of Lake Powell, including the following: Rock Creek Bay, Gregory Butte, Princess Cove, Navajo Canyon and the Glen Canyon Dam and from six locations including the presumed San Juan River inflow into Lake Powell between Zahn Bay and Great Bend, the presumed "plunge line" where river water plunges beneath lake water just east of Great Bend, Paiute Wash and Bald Rock Canyon.

The water distribution system that has been established throughout Navajo Nation. Water tanks that are staged at 13 points throughout Navajo Nation. The tanks have a capacity of 32,000 gallons of water at each location, except for one location which has a capacity of 16,000 gallons.

Additional requests for water and feed will be fielded by the Window Rock Emergency

Operations Center (EOC) with delivery coordination managed through the Farmington Incident Command Post.

**Tomorrow, August 20, there will be a public meeting/Open House in Durango.** EPA will participate in an overview of the response and answer questions from the community to focused at topic-specific tables. The tables will cover recreation concerns, economic impacts, claims, environmental concerns, agriculture impacts, drinking water questions etc. R8 will provide many of the Subject Matter Experts.

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## Claims Process Update

A claims process exists for compensating citizens who suffer personal injury or property damage caused by negligence of the U.S. government.

The process is available in EPA's regulations at 40 CFR Part 10, and includes guidance on documentation that may be required to support claims for loss of employment and loss of income, among other claims.

Claims for monetary compensation may be filed by submitting a Standard Form 95 specifying the nature of the loss suffered and EPA actions, if known, causing the loss or damage to property.

EPA is not offering immediate reimbursements for damages from the Gold King Mine water and it is not true that if someone submits a claim that by doing so they limit or waive future rights.

EPA's Federal Tort Claims Act (FTCA) regulation provides that a person may amend their claim form at any time prior to reaching a settlement with EPA, or before the person files a lawsuit under the FTCA. Additionally, a person claiming an injury or damage has two years from the date of the event to file a claim with EPA under the FTCA. (40 CFR Part 10).

Standard Form 95 is not required to present a claim under the FTCA, but it is a convenient format for supplying the information necessary to bring an FTCA claim. Please note that a completed form must state a claim for money damages in a "sum certain" amount (that is, a specific amount) claimed for personal injury, death, or injury to or loss of property. In addition, if a sum certain is not specified in Standard Form 95 block 12d, or in accompanying information, a submission cannot be considered a valid presentation of a claim.

Although EPA's regulations state that it has six months to resolve a claim, EPA will make every effort to respond to Gold King Mine release claims as soon as possible. Claims must be

presented to EPA within two years after the claim accrues.

[Complete the fillable PDF version of Standard Form 95 here.](#)

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